

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EDWIN J. COHENS,  
Plaintiff,

v.

UNITED STATES FEDERAL BUREAU  
OF INVESTIGATION,  
Defendant.

Case No. [16-cv-03665-JD](#)

**ORDER DISMISSING CASE FOR  
FAILURE TO PROSECUTE**

Re: Dkt. No. 19

On March 31, 2017, the Court dismissed Cohen's complaint entitled "FOIA Request Under Freedom of Information Act" and consisting in substance of an initial request for information such as "what is the name of the [] device you use for sleep deprivation of the plaintiff?" and what information did "people used as snitches/informants against him" provide? Dkt. No. 18. Cohens was given until April 14, 2017 to file an amended complaint, but he has not done so. On September 5, 2017 the Court ordered Cohens to show cause why this case should not be dismissed for failure to prosecute. Dkt. No. 19. Cohens did not respond to the order. Consequently, the case is dismissed with prejudice for failure to prosecute. The Court has considered the five factors in *Malone v. United States Postal Service*, 833 F.2d 128, 130 (9th Cir. 1987). While our policy favors the disposition of cases on their merits, Cohens has shown no interest in pursuing his claims and has disregarded the Court's warning that the action would be dismissed if he failed to respond. The Clerk is directed to close the file.

**IT IS SO ORDERED.**

Dated: September 19, 2017

  
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JAMES DONATO  
United States District Judge